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'OPERATION FASTLINK' DEFENDANT SENTENCED FOR ONLINE SOFTWARE PIRACY

WASHINGTON, D.C. – U.S. Attorney Johnny Sutton of the Western District of Texas announced today that a San Antonio, Texas man was sentenced to 15 months incarceration and 400 hours of community service for his role in an underground network that distributed pirated software, games, movies and music over the Internet.

Joshua Abell, 24, of San Antonio, Texas, was sentenced by U.S. District Court Judge Orlando L. Garcia. Abell, was also sentenced to two years of supervised release. He previously pleaded guilty to a two-count felony information charging copyright infringement and conspiracy to commit copyright infringement.

Abell one of 35 individuals convicted as a result of "Operation Fastlink," one of the largest multi-national law enforcement actions ever taken against online software piracy. Operation Fastlink, is the Department of Justice's most aggressive and far-reaching criminal enforcement effort directed at intellectual property crime to date. Abell was one of the top four in his group. Abell's group consisted of 175 members, of which 28 have been targeted for prosecution and 15 have already been convicted.. In April 2004 U.S. and foreign investigators conducted over 120 searches in 27 states and 11 foreign countries, including Belgium, Denmark, France, Germany, Hungary, Israel, the Netherlands, Singapore, Sweden, Great Britain and Northern Ireland. Subsequent action was taken in Spain, bringing the total number of foreign nations involved to twelve. Nearly 100 individuals worldwide were identified by the investigation as leaders or high-level members of various international piracy organizations.

Abell had participated in a criminal conspiracy dedicated to the illegal reproduction and distribution of copyright protected software, including movies, games, music and business utility programs. Abell was a member of the "warez scene" – an underground online community that consists of individuals and organized groups who use the Internet to engage in the large-scale, illegal distribution of copyrighted works. Warez groups often obtain copyrighted products before they are available to the general public. These groups use sophisticated technical skills to circumvent or "crack" the digital copyright protections embedded in the copyrighted works, and then distribute the pirated software to various file servers on the Internet for others to access, reproduce, and further distribute worldwide. Within hours of the newly pirated product being released to the warez scene, it is often widely available to the public for free download Peer-to-Peer and public IRC networks around the world.

Operation Fastlink has been conducted under the direction of the Federal Bureau of Investigation and the Department of Justice's Computer Crime and Intellectual Property Section. The investigation is continuing. This case was prosecuted by Assistant U.S. Attorney Richard Richards from the Southern District of Iowa, Assistant U. S. Attorney Larry Mathews of the Western District of Texas and Computer Crimes and Intellectual Property Section Senior Counsel Clement J. McGovern.

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